

United States District CourtUnited States Magistrate Court
Southern District of Texas
FILED

Southern District of Texas – Laredo, Texas

JUN 14 2006

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UNITED STATES OF AMERICA
V.Mauro Fernando MONTEMAYOR-
Estrada
Mexico
(Name and Address of Defendant)JPD
#75-22-04AAF
Michael H. Milby, Clerk
Laredo Division**CRIMINAL COMPLAINT**

CASE NUMBER:

5:06ms 1067

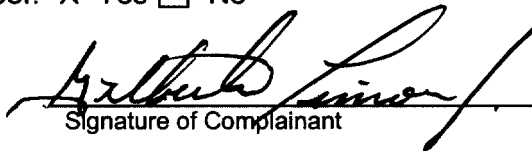
I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about June 13, 2006 in Webb county, in the Southern District of Texas defendant(s) did, (Track Statutory Language of Offense)

being an alien, was found in the United States having been denied admission, excluded, deported, and removed the from on or about September 24, 2004 and that the defendant had not received the consent of the Attorney General the United States or his successor, the Secretary For Homeland Security (Title 6, United States Code, Sections 2 (3), (4), and 557) to reapply for admission to the United States, ~~being voluntarily in the United States unlawfully,~~

in violation of Title 8 United States Code, Section(s) 1326

I further state that I am a(n) Special Agent and that this complaint is based on the following
Official Title
facts: See attached affidavit

Continued on the attached sheet and made a part hereof: X Yes ☐ No


Signature of Complainant

Sworn to before me and subscribed in my presence,

Date

at Laredo, Texas
City and State

Adriana ARCE-Flores, U.S. Magistrate Judge
Name & Title of Judicial Officer


Signature of Judicial Officer

AFFIDAVIT

Being duly sworn, I declare that the following is true and correct to the best of my knowledge.

My name is Gilberto Limon Jr. I am a Special Agent with the United States Bureau of Immigration and Customs Enforcement and I have been employed as a Special Agent since January 2003. I am authorized by the United States Attorney General and Congress to enforce the Immigration Laws and Regulations of the United States or any other Laws or Regulations designated by the Attorney General and Congress.

On June 13, 2006, Special Agent Gilberto Limon Jr. encountered Mauro Fernando MONTEMAYOR-Estrada at Cuatro Vientos and Guaymas, Laredo, Texas. Record checks revealed that the subject is a citizen and national of Mexico who had been previously removed from The United States on September 24, 2004. Special Agent Gilberto Limon Jr. interviewed the subject at that time. Subject admitted to being a citizen and national of Mexico and also that he entered the United States illegally and has no immigration documents. When questioned as to his identity, the subject gave his name and the corresponding date of birth as contained in his Service File # A35 864 690.

On June 13, 2006, subject was advised of his right to contact the Mexican Consulate's Office and stated that he did wish to speak with a Mexican Consulate but we were not able to make contact with the Mexican Consulate's office at the time.

A review of the Bureau of Immigration and Customs Enforcement File # A35 864 690, relating to a Mexican citizen, Mauro Fernando MONTEMAYOR-Estrada reveals that he was formally deported/removed as an aggravated felon from the United States to Mexico on September 24, 2004 at the Laredo, Texas Port of Entry subsequent to his arrest for violations of the Immigration and Nationality Act. Also, there is no evidence contained in File # A35 864 690 that Mauro Fernando MONTEMAYOR-Estrada has been granted permission from the Attorney General of the United States or his successor, the Secretary for Homeland Security (Title 6, United States Code, Sections 202 (3), (4), and 557) to reapply for admission after deportation/removal.

Gilberto Limon Jr.
Special Agent

Subscribed and sworn before me the 13th day of June, 2006.

United States Magistrate Judge